

REMARKS

This Response is to the Office Action dated August 20, 2008. Claims 1, 6 and 14 have been amended. No new matter was added by these amendments. Applicants respectfully submit that all of the claim amendments made herein were made to expedite prosecution, not to overcome any of the references cited in the Office Action. Claims 29 and 30 have been cancelled herein without prejudice or disclaimer. Applicants believe that no fees are due in connection with this Response, however please charge Deposit Account No. 02-1818 for any amounts deemed due.

In the Office Action, Claims 1 to 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2002/0038392 to De La Huerga ("*De La Huerga*") in view of United States Patent No. 6,980,958 to Surwit et al. ("*Surwit*");

The system of Claim 1 includes a terminal device attached to a network and comprising a visual display; a medical device attached to the network; a communication initiated by the medical device and transmitted over the network, the communication comprising at least one of status information and programming information for the medical device; a first server attached to the network; *a second server in communication with the first server, wherein the medical device and the terminal device communicate with the first server, the second server separated from the medical device and the terminal device via the first server and the network*; a message generated by the first server and transmitted over the network upon at least one of a request by the terminal device and an occurrence of an event, said message comprising at least a portion of the status or the programming information contained within the communication initiated by the medical device wherein at least a portion of said message is provided in a humanly readable format on the visual display; and *a message generated by the second server and transmitted over the network through the first server, the message including patient information.*

De La Huerga is generally directed to a method and apparatus for controlling IV medication delivery and monitoring. Page 4 of the Office Action admits that *De La Huerga* does not disclose "that the medical device routes status messages to the terminal devices through the server."

However, the Office Action applied *Surwit* (see Fig. 1 of *Surwit*, provided below for illustrative purposes) for its disclosure of a server connected to a plurality of portable patient monitors and a plurality of case management computers via an intranet or internet.

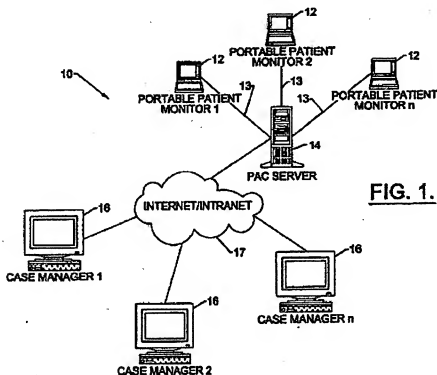


FIG. 1.

Applicants respectfully submit that the Examiner's combination of *Surwit* with *De La Huerga* is insufficient to teach the presented claims because neither *De La Huerga* nor *Surwit* disclose the features of Claims 1 and 14 discussed below.

Specifically, regarding presently presented Claim 1, neither *De La Huerga* nor *Surwit* disclose a second server in communication with the first server, wherein the medical device and the terminal device communicate with the first server, the second server separated from the medical device and the terminal device via the first server and the network, and a message generated by the second server and transmitted over the network through the first server, the message including patient information.

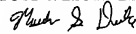
Similarly, regarding presently presented Claim 14, neither *De La Huerga* nor *Surwit* disclose a response message sent from the first central computer including patient information contained within a data packet generated by a second central computer, wherein the second

central computer is in communication with the first central computer, the medical device and terminal device separated from the second central computer via the first central computer and the network.

For the foregoing reasons, Applicants respectfully request reconsideration of the above-identified patent application and earnestly solicit an early allowance of same. Applicants kindly request that should the Examiner have any questions regarding this Response or wish to discuss the amended claims, the Examiner contact Applicants' representative at the telephone number below.

Respectfully submitted,

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